

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**EDWARD P. GRIFFIN-NOLAN**

vs.

**CASE NUMBER: 5:04-CV-1453 (GTS/GJD)**

**CITY OF SYRACUSE; DANIEL CECILE, Police Officer; JAMES MULLEN, Police Officer; and DAVID HENNESSEY, Police Officer**

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That Defendants' Motion for Summary Judgment is granted in part and denied in part as follows 1) Plaintiff's Section 1983 claim against Officers Mullen and Hennessey for denying him his First Amendment right to be free from retaliation is DISMISSED with prejudice; 2) Plaintiff's Section 1983 claim against the City of Syracuse for denying him his First Amendment right to be free from retaliation is DISMISSED with prejudice; 3) Plaintiff's Section 1983 claim against the City of Syracuse for failing to adequately train Officers Mullen, Hennessey, and Cecile is DISMISSED with prejudice; 4) Plaintiff's New York State common law claim against all Defendants for malicious prosecution, and his New York State common law claim against Officer Hennessey for libel, are DISMISSED without prejudice to refiling in New York State Court within 30 days of this Order, pursuant to 28 U.S.C. § 1367(d); 5) Plaintiff's claim for attorney's fees pursuant to 42 U.S.C. § 1988 is DISMISSED with prejudice; further Ordered that Plaintiff's Complaint is hereby DISMISSED in its entirety; and judgment is entered in favor of the defendants'.

All of the above pursuant to the Bench Decision & Order of the Honorable Judge Glenn T. Suddaby, dated the 23rd day of June, 2009.

DATED: June 24, 2009



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Clerk of Court

s/

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Joanne Bleskoski  
Deputy Clerk